GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Registration & Stamps – Certain irregularities noticed in the office of the District Registrar, Guntur during the trap proceedings conducted by the Anti Corruption Bureau on 22-06-2017 – Common disciplinary proceedings initiated under Rule 24 of APCS (CCA) Rules, 1991 – Articles of Charge framed against Sri Sk.Basheer Ahmed, former Junior Assistant - Orders – Issued.

REVENUE (VIGILANCE – II) DEPARTMENT

G.O.Rt.No.521 **Dated:25-04-2019**
Read :-

G.O.Ms.No.284, Revenue (Vigilance-II) Department, dated 25-04-2019.

&

O R D E R :

In continuation of the orders issued under Rule 24 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 in the reference read above, it is considered necessary to hold an enquiry against Sri Sk.Basheer Ahmed, former Junior Assistant, Office of the District Registrar, Guntur under Rule 20 of the said rules.

2. The substance of the imputation of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I) and the imputation of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which and the list of witnesses by whom the articles of charge are proposed to be sustained are also enclosed (Annexure-III and IV).

3. Sri Sk.Basheer Ahmed, former Junior Assistant, Office of the District Registrar, Guntur is directed to submit within ten days of the receipt of this Order a written statement of his defense.

4. Sri Sk.Basheer Ahmed, former Junior Assistant, Office of the District Registrar, Guntur is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri Sk.Basheer Ahmed, former Junior Assistant, Office of the District Registrar, Guntur is further informed that if he does not submit his written statement of defense on or before the date specified in para 3 above, or otherwise fails or refuses to comply with the provisions of Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 or the orders / directions issued in pursuance of the said rules the Inquiring Authority may hold the inquiry against him ex-parte.

6. Attention of Sri Sk.Basheer Ahmed, former Junior Assistant, Office of the District Registrar, Guntur is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

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7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

To
The individual concerned. **(through** the Director & Inspector General, Registration & Stamps, Vijayawada). (with a request to serve the order on the individual and send the served copy with dated signature to Government)

Copy to
The Secretary to Vigilance Commissioner, AP.Vigilance Commission, Secretariat Building No.5, Velagapudi, Guntur District.
The Director General, Anti Corruption Bureau, Andhra Pradesh, 2nd floor, NTR Administrative block, P.N.Bus Station, Vijayawada.
The Director & Inspector General, Registration & Stamps, Andhra Pradesh, Eedupugallu, Vijayawada.
The Deputy Inspector General, Registration & Stamps, Guntur.
The District Registrar, Registration & Stamps, Guntur .
The Revenue (Registration-I) Department, A.P.Secretariat, Velgapudi.
SF / SC

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SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLES OF CHARGE FRAMED AGAINST SRI SHAIK BASHEER AHMAD @ BASHEER, S/o JANI, AGE 40 YEARS, OCC:JUNIOR ASSISTANT, O/o DISTRICT REGISTRAR, STAMPS & REGISTRATION DEPARTMENT, GUNTUR.

That Sri Shaik Basheer Ahmad @ Basheer, S/o Jani, aged 40 years and joined in Government Service on 04-06-1996 as Attender, Office of the Sub Registrar, Tenali. Subsequently he was promoted as Junior Assistant on 09-12-2004 and working in the Office of the District Registrar, Stamps and Registration Department, Guntur. While functioning as aforesaid capacity on 22-06-2017, he committed grave misconduct in as much as;

Charge-: That you Sri Shaik Basheer Ahmad @ Basheer engaged one private person by name Sri Shaik Fazal Ahmad, S/o.Fakeer Ahmad, aged 23 years, without any permission from Higher Authorities, for doing office work and also for collecting of bribes on behalf of him, from the visitors coming to the office for their works, who was found Rs.21,500/- on 22-06-2017 and thereby violated the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Thus, Sri Shaik Basheer Ahmad @ Basheer, S/o.Jani, Junior Assistant, Office of the District Registrar, Stamps and Registration Department, Guntur by his above mentioned acts, has exhibited lack of integrity, devotion to duty and conducts unbecoming member of State Government Service and thereby violated Rule 3 (1) (2) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

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ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OF MISBEHAVOUR IN SUPPORT OF THE ARTICLES OF CHARGE FRAMED AGAINST SRI SHAIK BASHEER AHMAD @ BASHEER, S/O.JANI, AGE: 40 YEARS, OCC: JUNIOR ASSISTANT, Office of the DISTRICT REGISTRAR, STAMPS & REGISTRATION DEPARTMENT, GUNTUR

That Sri Shaik Basheer Ahmad @ Basheer, S/o.Jani, aged 40 years is a native of Nizampatnam (V), Nizampatnam (M), Guntur District. His date of birth is 31-07-1977 and he joined in Government Service on 04-06-1996 as Attender, at Office of the Sub Registrar, Tenali. Subsequently he was promoted as Junior Assistant on 09-12-2004, and working at Office of the District Registrar, Guntur from 04-07-2013 to 22-06-2017. He is drawing basic pay of Rs.27,360/- in the time scale pay of Rs.22460-66330. His date of attaining superannuation is 31-07-2037. He is here in after referred to as Government Servant (G.S).

Charge-: That you Sri Shaik Basheer Ahmad @ Basheer engaged one private person by name Sri Shaik Fazal Ahmad, S/o.Fakeer Ahmad, aged 23 years, without any permission from Higher Authorities, for doing office work and also for collecting of bribes on behalf of him, from the visitors coming to the office for their works, who was found Rs.21,500/- on 22-06-2017 and thereby violated the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Statement of Imputations in support of charge:

On 22-06-2017 at 15.00 hrs., the Government Servant was trapped at Administration Branch, staff room of District Registrar Office, Stamps & Registration Department, Guntur, when he demanded and accepted bribe of Rs.3,000/- from Sri Jonnala Adarsh Reddy, s/o.Srinivasa Reddy, aged 24 years, r/o.Namburu village, Pedakakani Mandal, Guntur District for showing official favour i.e. to process the meeseva online application and to submit to the District Registrar, Guntur to get registration of the firm in the name of M/s.Delta Services belongs to Sri Jonnala Adarsh Reddy, vide Cr.No. 05/RCT-GNT/2017 of Anti Corruption Bureau, Guntur Range.

During post trap proceedings on 22-06-2017, apart from Government Servant, other persons were found standing at the entrance of the staff room. Then the Deputy Superintendent of Police, Anti Corrupiton Bureau, Guntur asked the said 4 persons, who were standing at the entrance door of the staff room, about their presence. On that they revealed their names as (1) Sri Penumaka Ravindra Kumar, (2) Kokkilagadda Siva Rama Krishna, (3) Sri Dammalapati Hari Krishna and (4) Sri Shaik Fazal Ahmad @ Fazal.

Sri Penumaka Ravindra Kumar stated that he has been working as Office subordinate in Office of the District Registrar, Guntur and the other 3 members stated that they are the private persons working as private typists in Office of the District Registrar, Stamps & Registration Department, Guntur.

Since the said 3 private persons were present in the office under suspicious circumstances, then the Deputy Sueprintednent Police conducted searches on their persons. On searches found an amount of Rs.21,500/- with one Sri Shaik Fazal Ahmad, s/o.Fakeer Ahmad, aged 23 yrs, while no amount found with remaining 2 persons.

When Deputy Superintendent of Police questioned about the said amount, Sri Shaik Fazal stated that he has been working as private assistant to Junior Assistant, Basheer (Government Servant), Office of the District Registrar, Guntur since 6 months. The said Basheer Ahmad engaged him as his private assistant in Office of the District Registrar, Guntur as he is uncle to

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him on his request and paid an amount of Rs.6,000/- per month to him from his personal cash. As per the instructions of said Basheer Ahmad, he used to attend office regularly and used to attend the office assistant boy work like bringing tea, coffee etc., whenever the visitors came to office for their work, they used to give some money to his uncle Basheer Ahmad. On receiving amounts, his uncle usually hands over the amounts to him for safe custody. Since Monday i.e. 19-06-2017 his uncle gave amounts to him and he kept the amounts with him till the date of trap i.e., on 22-06-2017. At present he has in possession of Rs.21,500/- which are collected by Basheer since Monday i.e., on 19-06-2017. On 22.06.2017 he came to the office at about 10 a.m., and present in the office. The District Registrar and Sri Basheer Ahmad along with other staff were attended to the office and worked upto the Noon. At about 1.20 p.m., the District Registrar and all staff went for lunch except Junior Assistant Basheer Ahmad. He himself along with Office subordinate, Sri Ravindra Kumar and 2 other private typists, who are working in the District Registrar office were present in the office. At about 14.50 hrs, when they four were standing in the entrance of the staff room, one person went to the staff room, met Sri Shaik Basheer Ahmad, Junior Assistant discussed for some time and went away, within no time some officials came and surrounded Sri Shaik Basheer Ahmad, Junior Assistant. Later he came to know that Sri Shaik Basheer Ahmad, Junior Assistant was trapped by ACB, while he demanded and accepted bribe of Rs.3,000/-.

Then the Deputy Superintendent of Police, Anti Corrupiton Bureau seized the said amount of Rs.21,500/- from Sri Shaik Fazal, suspecting that the amount was collected by Sri Shaik Basheer Ahmad, Junior Assistant as bribes/mamools from the visitors for the purpose of further investigation.

During the post trap proceedings, when the Deputy Superintendent of Police, Anti Corrupiton Bureau examined Sri Kokkiligadda Siva Rama Krishna, Sri Dammalapati Hari Krishna and Sri Penumaka Ravindra Kumar, they stated that on 22.06.2017 as usual, they came to the office at about 10 a.m. and present in the office. The District Registrar and Sri Basheer Ahmad along with other staff were attend to the office and worked upto the Noon, Senior Assistant, Mastan Vali came in morning hours and went away. At about 1.20 p.m. the District Registrar and all staff went for lunch except Junior Assistant Basheer. They along with Sk.Fazal Ahmad were also present in the office. At about 14.50 hrs, when they four were standing in the entrance of the staff room, one person went to the staff room, met Sri Shaik Basheer Ahmad, Junior Assistant discussing for some time and went away, within no time some officials came and surrounded Sri Shaik Basheer Ahmad, Junior Assistant. Later they came to know that Sri Shaik Basheer Ahmad, Jr.Asst was trapped by Anti Corruption Bureau, while he demanded and accepted bribe of Rs.3,000/- from the complainant. On the instructions of Deputy Superintendent of Police, Anti Corrupiton Bureau they witnessed the proceedings. When the Deputy Superintendent of Police searched on person of Sk.Fazal Ahmad, an amount of Rs. 21,500/- was found in his possession and the same was also seized by Deputy Superintendent of Police, Anti Corrupiton Bureau, Guntur.

All other details were incorporated in the Mediators Report No-II drafted in the staff room of District Registrar, Stamps & Registration Department, Guntur between 15.30 hours and 23.30 hours on 22.06.2017.

The investigation discloses that Government Servant engaged Sri Shaik Fazal Ahmad in the office for doing office work without any permission from Higher Authorities and also for collecting of bribes on behalf of Government Servant from the visitors who are coming to the office for their works. On the date of trap the said Shaik Fazal Ahmad was found in possession of Rs.21,500/- and stated that the said amount was collected by Government Servant as bribes from visitors during the corresponding week.

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Thus, the said Sri Shaik Basheer Ahmad @ Basheer, S/o Jani, Junior Assistant, Office of the District Registrar, Stamps and Registration Department, Guntur (Government Servant) by his above mentioned acts, he exhibited lack of integrity, devotion to duty and conduct unbecoming of a member of service by contravened Rule 3 (1) (2) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

The Government Servant has therefore rendered himself liable for regular Departmental Action.

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

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ANNEXURE-III

LIST OF DOCUMENTS

LIST OF DOCUMENTS BY WHICH ARTICLES OF CHARGE FRAMED AGAINST SRI SHAIK BASHEER AHMAD @ BASHEER, S/o.JANI, AGE:40 YEARS, OCC: JUNIOR ASSISTANT, O/o.DISTRICT REGISTRAR, STAMPS & REGISTRATION DEPARTMENT, GUNTUR ARE PROPOSED TO BE SUSTAINED

1. FIR in Cr.No.5/RCT-ACB-GNT/2017, dated 22-06-2017 of ACB, Guntur District.
2. Mediators report-1 dated 22-06-2017 in Cr.No.5/RCT-ACB-GNT/2017 of ACB, Guntur District.
3. Mediators report - II dated 22-06-2017 in Cr.No.5/RCT-ACB-GNT/2017 of ACB, Guntur District.
4. Statement of Sri Jonnala Adarsh Reddy, S/o.Srinivasa Reddy, aged 24 years, r/o Namburu village, Pedakakani Mandal, Guntur District. (Complainant in Cr.No.05/RCT-GNT/2017).
5. Statement of Sri Penumaka Ravindra Kumar, S/o.late Vasantha Rao, aged 29 yrs, Office Subordinate, O/o District Registrar, Stamps & Registration Department, Guntur R/o D.No.1-163, Vejendla village, Chebrole Mandal, Guntur District.
6. Statement of Sri Kokkiligadda Siva Rama Krishna s/o Rathaiah, aged 33 yrs, private typist working in O/o District Registrar, Guntur R/o 6th line, AT Agraharam, Guntur N/o Nizampatnam village & Mandal, Guntur District.
7. Statement of Sri Dammalapati Hari Krishna S/o Srinivasa Rao, aged 28 yrs, working as private computer operator O/o District Registrar, Guntur R/o Kotha Reddy Palem village, Chebrole Mandal, Guntur District.
8. Statement of Sri Shaik Fazal Ahmad s/o Fakeer Ahmad, aged 23 yrs, Nizampatnam, Guntur District.
9. Statement of Parasa Rama Krishna, District Registrar, Stamps and Registration Department, Guntur.
10. If any document found necessary they will be produced at the of time enquiry.

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

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ANNEXUR-IV

LIST OF WITNESSES

LIST OF WITNESSES BY WHICH ARTICLES OF CHARGE FRAMED AGAINST SRI SHAIK BASHEER AHMAD @ BASHEER, S/O JANI, AGE: 40 YEARS, OCC: JUNIOR ASSISTANT, O/o DISTRICT REGISTRAR, STAMPS & REGISTRATION DEPARTMENT, GUNTUR ARE PRPOSED TO BE SUSTAINED

1) Sri Jonnala Adarsh Reddy, s/o.Srinivasa Reddy, aged 24 years, R/o Namburu village, Pedakakani Mandal, Guntur District. (Complainant in Cr.No.05/RCTGNT/2017).

2) Sri Penumaka Ravindra Kumar, S/o.late Vasantha Rao, aged 29 yrs, Office Subordinate, O/o.District Registrar, Stamps & Registration Department, Guntur R/o D.No.1-163, Vejendla village, Chebrole Mandal, Guntur District.

3) Sri Kokkiligadda Siva Rama Krishna, S/o.Rathaiah, aged 33 yrs, private typist working in O/o.District Registrar, Guntur R/o 6th line, AT Agraharam, Guntur N/o.Nizampatnam village & Mandal, Guntur District.

4) Sri Dammalapati Hari Krishna, S/o.Srinivasa Rao, aged 28 yrs, working as private computer operator O/o.District Registrar, Guntur R/o Kotha Reddy Palem village, Chebrole Mandal, Guntur District

5) Sri Shaik Fazal Ahmad, S/o.Fakeer Ahmad, aged 23 yrs, Nizampatnam, Guntur District.

6) Sri Parasa Rama Krishna, District Registrar, Stamps and Registration Department, Guntur District.

7) Sri Gurram Prasad, S/o.Subba Rao, aged 42 yrs, Asst. Engineer, O/o EE, Irrigation Division(WR), Guntur R/o D.No.7-62, Lingamguntla colony, Narasaraopet, Guntur District. Ph No. 8790517859. (Mediator No.1)

8) Sri Garikamukkala Raju, S/o.Seetharamaiah, aged 45 yrs, Senior Assistant O/o SE, Irrigation Circle(WR), Guntur R/o D.No.26-39-120/2/A, 3rd line, Sri Ramnagar, AT Agraharam, Guntur Ph.No. 9866423314. (Mediator No.2)

9) Sri Ch.D.Santho, Dy. Supdt. of Police, Anti-Corruption Bureau, Guntur.

10) Sri Sk.T.Firoz, District Inspector, ACB, Guntur District.

11) If any witness found necessary they will be produced at the time of enquiry.

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

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